

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**RUBEN LOPEZ CAZARES and
HILARIO FELIX,**

Defendants.

8:05CR162

ORDER

For good cause shown,

IT IS ORDERED that the parties' JOINT MOTION TO CONTINUE TRIAL [257] is granted, as follows:

1. The jury trial before the Honorable Laurie Smith Camp, District Court Judge, is continued from **January 23, 2007 to March 6, 2007 at 8:30 a.m.** in Courtroom No. 2, Third Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska; because this is a criminal case, defendant(s) must be present in person.

2. In accordance with 18 U.S.C. § 3161(h)(A), I find that the ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between **January 23, 2007 and March 6, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, 18 U.S.C. § 3161, because counsel require more time to effectively prepare the case, taking into account the exercise of due diligence. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED January 19, 2007.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge